

**FRANKLIN PLANNING BOARD  
REGULAR MEETING AND PUBLIC HEARING –  
COUNCIL CHAMBERS  
Wednesday, March 25<sup>th</sup>, 2015 at 7:00 p.m.**

**Call to Order:** Chair Brian Colburn called the meeting to order at 7:03 p.m.

- ❑ Pledge of Allegiance
- ❑ Roll Call

Present: Brian Colburn, Tim Flaherty, Timothy Stangroom, David Veysey, Jo Brown, Michael Freeman and Planning and Zoning Administrator, Richard Lewis.

Absent: Mayor Ken Merrifield, Anthony Giunta, Brian Sullivan, Ted Starkweather and Powell Glenn.

Member Veysey was seated in place of absent voting member Brian Sullivan and Member Flaherty was seated in place of absent voting member Powell Glenn.

- ❖ Approval of Minutes: February 25<sup>th</sup>, 2015.

**MOTION: Member Veysey moved and Member Stangroom seconded to approve the minutes of the February 25<sup>th</sup>, 2015 Planning Board Meeting. All were in favor of approving the minutes as submitted.**

**Old Business:** None.

**New Business:**

- ❑ P15-002: Roy E. and Joan E. Shelley (Estate of), Owners; Scott and Sarah Stanley, Applicants, request a Special Use Permit, per Zoning Ordinance Section 305-13. Permitted Uses, Special Exceptions and Special Use Permits to allow a two-family home located in the R-3 Zone (One-, Two- and Three- Family Residential District). The home has been utilized as a two-family for numerous years without the proper approvals. The property is identified as 116 Prospect Street, Tax Map/Lot # 117-052-00.

**MOTION: Member Brown moved and Member Stangroom seconded to accept the application of Roy and Joan Shelley, Owners; and, Scott and Sarah Stanley, Applicants.**

**At this time, Member Veysey recused himself.**

**All were in favor and the motion passed.**

Sarah and Scott Stanley were present to speak. Sarah stated that they are residents of Franklin, and their house is very close to this property. She stated that she became interested in this property, like her own, due to the fact that it is a two family. She stated her husband and her enjoy buying houses in Franklin and fixing them up. She has a family member who needs an apartment and is having a hard time finding a place where you do not have to pay first and last months rent and have good credit. With the purchase price of the property and the aspect of the two family, they did put a purchase and sales agreement in contingent on the home receiving approval for the two family that it has been for years. She stated she has spoken with the neighbors and they were surprised to find out that the property wasn't classified as a two family.

Member Stangroom asked about whether the parking would be paved. Scott stated that due to the snow they are not sure right now what the parking situation is. He stated where they want to put the two additional spaces there appears to be pavement and there is pavement in front of the garage. Richard Lewis stated he did not hear back from Member Sullivan on this application. He stated the standard requirement is that the apron be paved, but the driveway could be gravel. Member Stangroom indicated that due to the slope his concern is runoff. Richard Lewis stated this is a legitimate concern, and indicated he could amend the draft decision to include that before the CO is issued that during the permitting process that Brian Sullivan, himself and the applicant will work on a location of the driveway that is safe and creates no further runoff than what already exists.

Richard Lewis stated that this time last year the property was up for tax deeding. One of the property owners has paid at least a year on the taxes to keep the city from deeding the property; however, Richard and Chuck Bodien did go to the property and the tenant indicated the home was a two family.

Member Flaherty asked if the abutters had been notified. Richard Lewis stated that they had been and that the abutter across Prospect Street came into the office and looked at the plans and had some questions, but after getting the answers they were satisfied.

Public Comment: None.

#### Board Discussion

Member Stangroom asked about condition #3 and the applicant having to receive a driveway permit prior to the construction beginning and the CO being issued. Angie Carey stated that as part of the building permit process, the driveway permit must be submitted and we do not accept building permits that have new driveways or changes to driveways without the permit being signed off on by MSD and then we do not issue the CO's until the driveway is approved. This is common practice.

Mr. Stanley stated that his plan was to meet with Brian Sullivan in the spring, once the snow is gone, to discuss the scope of the work and to figure out the best placement of the parking area.

Angie Carey stated that once she saw the picture, a friend of hers used to live in the upstairs apartment when she was about 21 years old.

Chair Colburn stated that his concern is how close the driveway will be to Prospect Street, due to the slope in the land. Richard Lewis stated that they will look at possible changes to the location in the spring, but stated there is a telephone pole, low hanging wires and the garage that put a damper on where the driveway can go. Mr. Lewis indicated the garage may be in rough shape and may need to be removed and if that was the case then the area where the garage is could be used for parking. It was clarified that the zoning ordinance states that two parking spots per unit are needed.

Chair Colburn stated he would like consensus from the board of whether they are okay with the approval being flexible with the parking and this could be worked out with Brian Sullivan and Richard Lewis without having to come back to the board. All members were okay with this.

**MOTION:** Member Stangroom moved and Member Freeman seconded that the Planning Board approve the Special Use Permit, referenced as P15-02, for Scott and Sarah Stanley, to allow the creation of a second residential unit in the property located at 116 Prospect Street, Tax Map/Lot # 117-052-00. This approval is granted conditionally subject to the

**findings and conditions outlined in the draft approval document reviewed by the Board. All were in favor and the motion passed.**

Member Veysey returned to the board.

- ❑ Public Hearing for a Zoning Amendment to Section 305-14. Lot and Yard Requirements. This change would institute a 15' side yard setback for the B-1 Zone (Low- Density Business and Commercial District). Currently there is no side yard setback requirement for this zone.

Public Comment: None.

Member Veysey asked Mr. Lewis if a building was currently being built 10' from the property line if they have had to do fire rating. Richard Lewis stated that do have. Member Veysey stated moving the distance to 15' will be better for overall safety.

**MOTION: Member Veysey moved and Member Freeman seconded that the Planning Board send a positive recommendation to the Franklin City Council for an amendment to Section 305-14, Lot and Yard Requirement Table, of the Zoning Ordinance, that would increase the required side yard setback from Zero (0) feet to Fifteen (15) feet in the B-1 Zoning District. In the opinion of the Planning Board, this will provide for appropriate separation between buildings to better safeguard the abutting properties and ensure adequate areas for drainage, parking, snow removal, and general safe site development. All were in favor and the motion passed.**

Public Comment: None.

At this time, Member Jo Brown recused herself from the board.

### Other Business

- ❑ Discussion with Jo Brown regarding the future application of a Special Use Permit, for a Restaurant (Coffee Shop) to be located at 366 Central Street, Tax Map/Lot # 117-151-00, B-2 Zone (High-Density Business and Commercial District). The property is in the ownership of Buell's Block, LLC.

Mrs. Brown stated that she is going to be applying for a SUP for space in the Buell Building where the old Tattoo parlor was. She stated currently they are in litigation for code violations. If the code violations are resolved, she is looking at utilizing the first floor (first corridor of four) for the business and handed out a floor plan. The office spaces are four long corridors and eventually she would also like to expand to the second corridor, however this space needs a new ceiling and new floors. She stated the first corridor is in the best shape and just needs cosmetic repairs.

Her intent is to open a coffee shop, selling coffee, pastries and donuts. The food items will be cooked off site. There will be no sandwiches when the business first starts out.

The business will be a non-profit, and will allow an opportunity for the youth for job training. She will be working with NH Business Opportunitites and with Patty Prescott from the Franklin High School ELO (Extended Learning Opportunities) for coaching and mentoring of students. The mentors will be changed every 6-8 weeks. The front of the business will be retail, and will be items from NH Made. She has been working with NH Made and Christine Dzujna. They have two retail stores in Hampton on I-95 and will

provide support and supply with inventory. The items will not however be exclusively NH Made and they will encourage local crafters to sell their items there as well.

She is hoping to make the building handicap accessible; however, the Towle lot goes right up to the building so it would require getting an easement from Prescott Towle.

Member Flaherty asked if it would be retail in the front and then a few tables in the middle section. Mrs. Brown stated that was correct. They will have a small kitchen area to meet code requirements, but no food will be prepared on site and the kitchen will not be a commercial kitchen. She stated the State classes businesses of this type based on their square footage, so this would be a class C business.

She stated she has been working with local folks, one being a banker and one being Rebecca from Ralph and Jo's to develop her business plan. She stated that eventually she wants to have a license so that the items that she is selling won't have to be packaged up.

A small bathroom will be expanded to two bathrooms that will meet code requirements.

Brian Colburn asked about signage and Mrs. Brown stated the signage will meet city code and the Historic District Commission regulations.

Richard Lewis stated the game plan is that she come before the board with the conceptual this evening, she will then submit the SUP application by Wednesday April 1<sup>st</sup> to be on the Agenda for the Planning Board for April 22<sup>nd</sup>.

### **Planner's Update:**

Richard Lewis then went through pointed out the memo's that he had submitted to the board. He did not speak about all the items, however he did speak on a few of them.

Richard Lewis stated the Family Dollar Store has finally submitted to MCRD their deeds, lot merger with an abutter and subdivision approval. He stated the back portion of the lot was given to an abutter and the Family Dollar Store paid the abutter a small amount to take the land.

He then pointed out to the board Senate bill 146 and indicated this could be problematic for an area like Franklin that already has too many two, three and multi-families. He encouraged board members to contact their State Representatives. He stated that Colby Sawyer College has done some work on the downtown and maybe they could work with the Assessing Department to see how many rentals are within the city and continue some work in the City.

Mr. Lewis stated the GIS mapping system has wrapped up and the Council will hopefully be approving the maps in April and they will be in affect for next year. With this process MSD has also utilized the mapping system to place on the maps water mains and locations of sewer and water piping and other municipal utilities.

Mr. Lewis stated that Franklin for a Lifetime will be having a weekend long program going on at City Hall the weekend of the 9<sup>th</sup>. He stated that on Thursday there will be a dinner, there will be speakers all day on Friday and then they will put the information received together on Saturday. He stated this is open to all and is free and if they want to sign up the sign up link is located on the City website. Mr. Lewis stated that over the past 15 years the city has done numerous Charrettes and workshops and he stated that if you come out of a workshop with one or two good ideas, then the workshop was productive.

**Adjournment**

**MOTION: Member Veysey moved and Member Brown seconded to adjourn the meeting of March 25<sup>th</sup>, 2015 at 8:02 p.m. All were in favor and the meeting was adjourned.**

Respectfully submitted,  
Angela M. Carey  
Planning and Zoning, Assistant to the Administrator